

REMARKS

Claims 42, 54 and 59 are amended. Claims 42-60 are pending. No new matter is added as a result of the claimed amendments. Support for the claimed amendments can be found at least in Fig.3, and paragraphs [0026] and [0030] of the instant application.

102 Rejections

According to the instant Office Action, Claims 42, 49, 50, 53, 59 and 60 are rejected under 35 U.S.C. §102(e) as being anticipated by Jacobs et al. (US 6,279,056). Applicants have reviewed the cited reference and respectfully submit that the embodiments of the present claimed invention set forth in Claims 42, 49, 50, 53, 59 and 60 are neither anticipated nor rendered obvious by the Jacobs et al.

The Examiner is respectfully directed to independent Claim 42 which is drawn to a controller. Claim 42 is reproduced below in its entirety for the convenience of the Examiner.

42. A controller for enabling audio files to be played on a computer subsystem of a computer system when said computer system is in an inactive state, wherein said controller is included in said computer system, said controller comprising:

a switch having a first state and a second state, said switch in said first state decoupling said controller from said computer subsystem, said switch in said second state coupling said controller to said computer subsystem in response to said computer system being in said inactive state; and

a drive interface configured to interface with a drive of said computer subsystem depending on a state of said switch, said drive interface configured to access audio data on said drive when said switch is in said second state, the drive interface being capable of selectively accessing said audio files from said drive. (emphasis added)

Independent Claims 54 and 59 contain limitations similar to those contained in Claim 42. Claims 49, 50 and 53 depend from Claim 42 and set forth additional limitations of the embodiments of the claimed invention. Claims 60 depends from Claim 59 and sets forth additional limitations of an embodiment of the claimed invention.

Applicants respectfully submit that Jacobs et al. does not anticipate or render obvious the embodiments of the invention that are set forth in Claims 42 and 59. While Jacobs et al. mentions a drive (e.g., mini CD-ROM device driver 68 in fig. 2), Applicants respectfully submit that Jacobs et al. does not show or suggest a controller that includes a switch and a drive interface capable of selectively accessing audio files from a drive. Jacobs et al. appears only to address external elements (a switch and a driver) of a controller and the functions thereof.

In summary, based on a review of Jacobs et al., Applicants respectfully submit that Jacobs et al. does not teach or suggest the limitations of independent Claims 42 and 59 and that these claims are in condition for allowance. Moreover, Claims 49, 50, 53 and 60 are dependent on either Claim 42 or 59 and recite additional limitations. As such, Applicants also respectfully submit that Jacobs et al. does not teach or suggest the subject matter as recited in Claims 49, 50, 53 and 60, and that these claims are also in condition for allowance as being dependent on an allowable base claim. Therefore, Applicants respectfully assert that the Jacobs et al. reference provides an inadequate basis for rejecting Claims 42, 49, 50, 53, 59 and 60 under 35 U.S.C. §102(e).

103 Rejections

According to the instant Office Action, Claims 43-48, 51, 52 and 54-58 are rejected under 35 U.S.C. §103(a) as being unpatentable over Jacobs et al. in view of Lee (US 6,292,440). Applicants have reviewed the cited references and respectfully submit that the embodiments of the present invention set forth in Claims 43-48, 51, 52 and 54-58 are neither anticipated nor rendered obvious by Jacobs et al. in view of Lee.

Independent Claim 54 contains limitations similar to those contained in Claim 42. Claims 43-48, 51, 52 and 55-58 depend from either Claim 42 or 54 and set forth additional limitations of the embodiments of the claimed invention.

As presented above, Applicants respectfully assert that Jacobs et al. does not show or suggest a controller including a switch and a drive interface capable of selectively accessing audio files from a drive.

Applicants respectfully further submit that Lee does not overcome the shortcomings of Jacobs et al. Lee does not appear to mention a drive interface capable of selectively accessing audio files from a drive or its equivalent.

In summary, Applicants respectfully submit that Jacobs et al. and Lee do not show or suggest the limitations of independent Claims 42 and 54, and that these claims are in condition for allowance. Claims 43-48, 51, 52 and 55-58 are dependent on either Claims 42 or 54 and recite additional limitations. As such, Applicants also respectfully submit that Jacobs et al. and Lee do not show or suggest the additional claimed features of the present invention as recited in Claims 43-48, 51, 52 and 55-58, and that these claims are also in condition for allowance as being dependent on an allowable base claim. Therefore, Applicants respectfully assert that Jacobs et al. in view of Lee provides an inadequate basis for rejecting Claims 43-48, 51, 52 and 54-58 under 35 U.S.C. §103(a).

Conclusions

In view of the foregoing amendments and remarks, Applicants respectfully submit that the pending claims are in condition for allowance. Applicants respectfully request reconsideration of the Application and allowance of the pending Claims.

If the Examiner determines the prompt allowance of these Claims could be facilitated by a telephone conference, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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